

LAKE COUNTY BOARD of ADJUSTMENT
August 10, 2016
Lake County Courthouse Commissioners Office (Rm 211)
Meeting Minutes

MEMBERS PRESENT: Sue Lavery, Steve Rosso, Don Patterson, Frank Mutch, Merle Parise

STAFF PRESENT: Jacob Feistner, Rob Edington, Lita Fonda

Sue Lavery called the meeting to order at 4:00 pm.

Motion by Frank Mutch, and seconded by Don Patterson, to consider the minutes at the end of the meeting, at this meeting and in the future. Frank thought it would be more considerate of attendees to do the items that involved them first. Sue asked if the Board could do that. Lita looked in the bylaws and the order of business listed there, which specifically mention the minutes as the second item. She didn't know how tightly they were locked to that. Don said it simply said they would do that. Lita thought they might be okay in that respect. **Motion carried, all in favor.** [Editor's note: this may have further needs.]

HANSON CONDITIONAL USE—FINLEY POINT (4:02 pm)

Frank was concerned that he should recuse himself, since he knew the Hansons. Merle also wanted to be recused and checked if they would still have a quorum, which they did.

Jacob Feistner noted the Hansons were in attendance and presented the staff report. (See attachments to minutes in the August 2016 meeting file for staff report.) He noted that additional Environmental Health comment had been received since the staff report was written. The well was on the eastern portion of the lot. They had talked about the potential for a replacement system in the future. The applicants currently had a mounded system. Because of the position of the well, the septic could not be closer than it is now. It couldn't be within 100 feet. The area where the court would go was located within that 100 feet so it didn't take away a potential future location for a replacement system so there were no concerns there about future septic. Public comments were received after the report, which had been handed out to the Board. The neighbors were in favor and the other comment was not opposed and felt there was no impact.

Steve asked about two structures on the lot drawing. Jacob clarified those structures were built by the neighbors and then a boundary line adjustment was done. The plat was created for the boundary line adjustment and didn't actually show the Hansons' garage and residence. Those were located pretty centrally on Tract A. Steve asked about portion B and the dashed line. Jacob said that was the previous boundary prior to the boundary line adjustment. Steve noted that in the photos, the fence was along the property line that bumped around the neighbors' cabins.

Johanna Hanson said the neighbors agreed. Robert Hanson added the notes from the 3 adjoining neighbors had been submitted.

Sue confirmed with Jacob that the setback would be irrelevant for the parking slab. She asked if there was something in the conditions that said this should not be covered or become a structure or have a roof. Jacob said they could certainly do that. Sue could see another owner down the road deciding to cover it. Steve said someone might turn it into a garage. Johanna said that happened next to them, where first there was a pad, then a roof, then sides and then a door.

Jacob suggested adding a statement to #2 that they could never build onto the concrete pad or that other uses would require further review and approval prior to the usage, or it could say no other uses were approved. Sue thought if it said occasional parking or if someone wanted to play in the winter and add a roof, it then became an enclosed structure so it needed to be clear. Steve suggested 'no above-ground structures are approved with this permit'. Sue added 'without further review'.

Public comment: No other public were present.

Motion made by Sue Lavery, and seconded by Don Patterson, to approve the conditional use with the addition to condition #2 and with findings of fact and conditions. Motion carried, 3 in favor (Sue Lavery, Steve Rosso, Don Patterson) and 2 abstentions (Frank Mutch, Merle Parise).

MINUTES (4:17 pm)

Frank asked what the brackets in the minutes meant. Lita explained a couple of different situations in which she used those. One of the most common ones when people used a reference such as 'it' or 'they' and she made the best assumption she could, based on the context in which it was used when the reference could mean other things. Steve noted the brackets signified she didn't hear it on the tape or see it in her notes so it might be wrong but she assumed. Sue gave an example where it was clearer and read better. Lita mentioned she did sometimes reword stuff or condense it down. If she was adding stuff that might or might not be right, she was conservative about that and would rather have it marked.

Motion made by Sue Lavery, and seconded by Don Patterson and others, to approve the April 13, 2016 meeting minutes as written. Motion carried, all in favor.

OTHER BUSINESS (4:22 pm)

Possibilities for next month were described. The deadline was a week away.

Sue Lavery, chair, adjourned the meeting at 4:23 pm.